

TABLE 1.—IMPROVED PENSION—
Continued
[Maximum annual rates]

Both veterans housebound, \$14,469
One veteran housebound and one veteran in need of aid and attendance, \$17,575
For each dependent child, \$1,404
(5) Surviving spouse alone and with a child or children of the deceased veteran in custody of the surviving spouse (38 U.S.C. 1541):
Surviving spouse alone, \$5,527
Surviving spouse and one child in his or her custody, \$7,240
For each additional child in his or her custody, \$1,404
(6) Surviving spouses in need of aid and attendance (38 U.S.C. 1541):
Surviving spouse alone, \$8,839
Surviving spouse and one child in his or her custody, \$10,548
For each additional child in his or her custody, \$1,404
(7) Surviving spouses who are housebound (38 U.S.C. 1541):
Surviving spouse alone, \$6,758
Surviving spouse and one child in his or her custody, \$8,466
For each additional child in his or her custody, \$1,404
(8) Surviving child alone (38 U.S.C. 1542), \$1,404

Reduction for income. The rate payable is the applicable maximum rate minus the countable annual income of the eligible person. (38 U.S.C. 1521, 1541 and 1542).

Mexican border period and World War I veterans. The applicable maximum annual rate payable to a Mexican border period or World War I veteran under this table shall be increased by \$1,867. (38 U.S.C. 1521(g))

Parents' DIC

DIC shall be paid monthly to parents of a deceased veteran in the following amounts (38 U.S.C. 1315):

TABLE 2

[One parent. If there is only one parent, the monthly rate of DIC paid to such parent shall be \$391 reduced on the basis of the parent's annual income according to the following formula:]

For each \$1 of annual income		
The \$391 monthly rate shall be reduced by	Which is more than	But not more than
\$0.00	\$0	\$800
.08	800	9,381

No DIC is payable under this table if annual income exceeds \$9,381.

One parent who has remarried. If there is only one parent and the parent

has remarried and is living with the parent's spouse, DIC shall be paid under Table 2 or under Table 4, whichever shall result in the greater being paid to the veteran's parent. In the case of remarriage, the total combined annual income of the parent and the parent's spouse shall be counted in determining the monthly rate of DIC.

Two parents not living together. The rates in Table 3 apply to (1) two parents who are not living together, or (2) an unmarried parent when both parents are living and the other parent has remarried. The monthly rate of DIC paid to each such parent shall be \$281 reduced on the basis of each parent's annual income, according to the following formula:

TABLE 3

For each \$1 of annual income		
The \$281 monthly rate shall be reduced by	Which is more than	But not more than
\$0.00	\$0	\$800
.06	800	900
.07	900	1,100
.08	1,100	9,381

No DIC is payable under this table if annual income exceeds \$9,381.

Two parents living together or remarried parents living with spouses. The rates in Table 4 apply to each parent living with another parent; and each remarried parent, when both parents are alive. The monthly rate of DIC paid to such parents will be \$264 reduced on the basis of the combined annual income of the two parents living together or the remarried parent or parents and spouse or spouses, as computed under the following formula:

TABLE 4

For each \$1 of annual income		
The \$264 monthly rate shall be reduced by	Which is more than	But not more than
\$0.00	\$0	\$1,000
.03	1,000	1,500
.04	1,500	1,900
.05	1,900	2,400
.06	2,400	2,900
.07	2,900	3,200
.08	3,200	12,611

No DIC is payable under this table if annual income exceeds \$12,611.

The rates in this table are also applicable in the case of one surviving parent who has remarried, computed on the basis of the combined income of the

parent and spouse, if this would be a greater benefit than that specified in Table 2 for one parent.

Aid and attendance. The monthly rate of DIC payable to a parent under Table 2 through 4 shall be increased by \$209 if such parent is (1) a patient in a nursing home, or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Minimum rate. The monthly rate of DIC payable to any parent under Tables 2 through 4 shall not be less than \$5.

TABLE 5.—SECTION 306 PENSION
INCOME LIMITATIONS

- (1) Veteran or surviving spouse with no dependents, \$9,381 (Pub. L. 95-588, section 306(a)).
- (2) Veteran with no dependents in need of aid and attendance, \$9,881 (38 U.S.C. 1521(d) as in effect on December 31, 1978).
- (3) Veteran or surviving spouse with one or more dependents, \$12,611 (Pub. L. 95-588, section 306(a)).
- (4) Veteran with one or more dependents in need of aid and attendance, \$13,111 (38 U.S.C. 1521(d) as in effect on December 31, 1978).
- (5) Child (no entitled veteran or surviving spouse), \$7,668 (Pub. L. 95-588, section 306(a)).
- (6) Spouse income exclusion (38 CFR 3.262), \$2,992 (Pub. L. 95-588, section 306(a)(2)(B)).

TABLE 6.—OLD-LAW PENSION INCOME
LIMITATIONS

- (1) Veteran or surviving spouse without dependents or an entitled child, \$8,211 (Pub. L. 95-588, section 306(b)).
- (2) Veteran or surviving spouse with one or more dependents, \$11,840 (Pub. L. 95-588, section 306(b)).

Dated: December 8, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

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Poverty Threshold

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Department of Veterans Affairs (VA) is hereby giving notice of the weighted average poverty threshold in 1994 for one person (unrelated individual) as established by the Bureau of the Census.

DATES: The 1994 poverty threshold is for consideration effective October 5, 1995,

the date on which it was established by the Bureau of the Census.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: VA
published a final regulation amendment
38 CFR 4.16(a) in the Federal Register

on August 3, 1990, pages 31579-80. The amendment provided that marginal employment generally shall be deemed to exist when a veteran's earned annual income does not exceed the amount established by the Bureau of the Census as the poverty threshold for one person. VA noted that the weighted average poverty threshold in 1988 for one person (unrelated individual) as established by the Bureau of Census was \$6.024 and stated we would publish

subsequent poverty threshold figures as notices in Federal Register.

The Bureau of the Census recently published the weighted average poverty thresholds for 1994. The threshold for one person (unrelated individual) is \$7,547.

Dated: December 8, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

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